

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

JO ANN DALTON,

Plaintiff,

v.

CIVIL ACTION NO. 1:20-00287

ANDREW SAUL, COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Tinsley submitted to the court his Proposed Findings and Recommendation ("PF&R") on December 22, 2020, in which he recommended that the court deny plaintiff's request to reverse the Commissioner's decision (ECF No. 12), grant the Commissioner's request to affirm his decision (ECF No. 15), affirm the final decision of the Commissioner, and dismiss this action from the court's docket.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days and three mailing days in which to file objections to the PF&R. The failure of any party to file such objections within the time allowed constitutes a waiver of such party's right to a de novo review

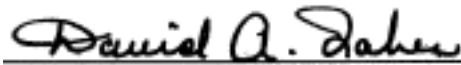
by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989). Neither party filed any objections to the PF&R within the required time period. Accordingly, the court adopts the PF&R as follows:

1. Plaintiff's request to reverse the Commissioner's decision (ECF No. 12) is **DENIED**;
2. Defendant's request to affirm his decision (ECF No. 15) is **GRANTED**;
3. The final decision of the Commissioner is **AFFIRMED**; and
4. This action is **DISMISSED** from the court's docket.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and any unrepresented parties.

IT IS SO ORDERED this 12th day of April, 2021.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge